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LUVADA S. WILSON
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
ERIE COUNTY, OHIO

21 CV 0272
Tone, Tygh M

SOPHIA S. PRESSLER-KEMPER
130 William Avenue
Bellevue, OH 44811

Plaintiff,

vs.

CARSON H. DANIELS
10401 Gates Road
Clarklake, MI 49234

and

OHIO BUREAU OF WORKERS'
COMPENSATION
30 West Spring Street
Columbus, OH 43215

Defendants.

CASE NO.:

JUDGE

COMPLAINT

(Jury Demand Requested)

NAGER, ROMAINE & SCHNEIBERG Co., L.P.A.
27730 Euclid Avenue
Cleveland, Ohio 44132
(216) 289-4740

FIRST CLAIM FOR RELIEF

1. The incident hereinafter set forth occurred on or about June 27, 2019, at or near State Route 4, in the Perkins Township, County of Erie, State of Ohio. At all relevant times, Plaintiff Sophia S. Pressler-Kemper (hereinafter "Plaintiff") was a resident of Huron County, Ohio. At all times relevant, Defendant Carson H. Daniels (hereinafter "Defendant Daniels") was a resident of Jackson County, Michigan. At all times relevant, Defendant Ohio Department of Workers' Compensation (hereinafter "Defendant BWC") is/was an entity of the State of Ohio.

2. On or about June 27, 2019, Plaintiff was operating a motor vehicle traveling northbound on State Route 4 in Perkins Township, Ohio. At the same time and place, Defendant Daniels was operating a motor vehicle also traveling northbound on State

Route 4 directly behind Plaintiff's vehicle. Defendant Daniels negligently and carelessly failed to keep an assured clear distance and struck the rear of Plaintiff's vehicle.

3. Defendant Daniels failed to keep an assured clear distance from Plaintiff's vehicle in violation of Ohio Revised Code §4511.21a, which conduct constitutes negligence per se. Said conduct and/or omissions directly and proximately resulted in the above-referenced collision.

4. As a direct and proximate result of the Defendants' negligent conduct, Plaintiff sustained serious personal injuries causing pain and suffering, some or all of which are permanent in nature; has incurred medical and other expenses, and in all likelihood will continue to incur such medical expenses in the future; has suffered property damage and loss of use of her vehicle and has suffered a loss of earnings and earning capacity, and in all likelihood will continue to suffer such a loss in the future.

5. Upon information and belief, Defendant Daniels has been absent from the State of Ohio for such periods of time that have tolled any applicable Statute of Limitations pursuant to Ohio Revised Code §2305.15(A).

SECOND CLAIM FOR RELIEF

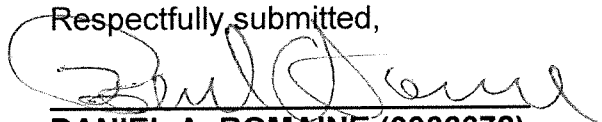
6. Plaintiff re-alleges paragraphs 1 through 5 as if fully rewritten herein.

7. On or after June 27, 2019, Plaintiff presented a workers' compensation claim (claim # 19-160658) related to the injuries she sustained in the motor vehicle incident with Defendant Daniels.

8. Defendant BWC has made certain payments to Plaintiff for medical treatment and/or lost wages and is claiming a right of reimbursement/subrogation from Plaintiff which should be set forth herein or be forever barred.

WHEREFORE, Plaintiff demands judgment against the Defendants in an amount in excess of Twenty-Five Thousand (\$25,000.00+) to compensate her for her injuries and damages, plus interests, costs, and any such further relief to which Plaintiff may be entitled. Further, Plaintiff demands that she be awarded interest on her judgment at the maximum rate and extent permissible by law together with their reasonable costs incurred herein. Finally, Plaintiff seeks a determination of the rights, if any, of Defendant Ohio Bureau of Workers' Compensation to recover any funds by right of subrogation and/or reimbursement pursuant to coverage in effect on June 27, 2019.

Respectfully submitted,



DANIEL A. ROMAINE (0066672)

NAGER, ROMAIN & SCHNEIBERG CO., L.P.A.

27730 Euclid Avenue

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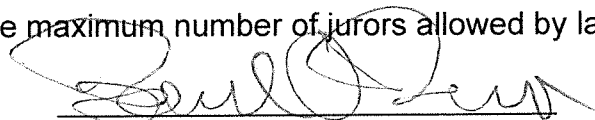
(216) 289-4743 (fax)

DRomaine@NRSinjurylaw.com

Attorney for Plaintiff

JURY DEMAND

Plaintiff hereby demands a trial by the maximum number of jurors allowed by law.



DANIEL A. ROMAINE (0066672)

PRAECIPE

Now comes Plaintiff, by and through the undersigned counsel, and hereby respectfully requests that the Clerk of Courts serve Defendants, by **certified mail**, with a copy of this **Complaint** at the address listed in the caption of this pleading.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel Romaine", written over a horizontal line.

DANIEL A. ROMAINÉ (0066672)

NAGER, ROMAINÉ & SCHNEIBERG CO., L.P.A.

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Attorney for Plaintiff